

IN THE CIRCUIT COURT OF MARYLAND FOR SAINT MARY'S COUNTY

GERTRUDE HOLLY
45766 MILITARY LANE
GREAT MILLS, MARYLAND 20634

Plaintiff

vs.

Case No.:

DOLLAR TREE STORES, INC.
2555 ELLSMERE AVENUE
NORFOLK, VA 23513

SERVE:
CSC- LAWYERS INCORPORATING
SERVICE COMPANY
7 ST. PAUL STREET
SUITE 820
BALTIMORE, MARYLAND 21202

Defendant

COMPLAINT

COMES NOW, GERTRUDE HOLLY, Plaintiff, by and through her attorneys
ROBERT A. RICHARDS and THE DORSEY LAW FIRM, and files suit against DOLLAR
TREE STORES, INC., Defendant, and for reason states the following:

Jurisdiction and Venue

1. This Court has jurisdiction of this action pursuant to §1-501 of the Courts and
Judicial Proceedings Article, Annotated Code of Maryland.

2. Jurisdiction in this Court is proper as this matter arises from a premises liability
tort which occurred in St. Mary's County, Maryland. Personal jurisdiction over the Defendant is
established pursuant to §§6-103(b)(1)-(3) Courts & Judicial Proceedings Article, Annotated
Code of Maryland.

3. Venue in this Court is proper as this matter involves an premises liability tort which occurred in St. Mary's County, Maryland, pursuant to §§6-201(a) and 6-202(8), Courts & Judicial Proceedings Article, Annotated Code of Maryland.

4. At all times relevant hereto, **Gertrude Holly**, Plaintiff, was and remains a resident and citizen of St. Mary's County, Maryland.

5. To the best of information and belief, at all times relevant hereto, **Dollar Tree Stores, Inc.**, Defendant, was and remains a Virginia corporation duly authorized to do business in the State of Maryland and doing business in St. Mary's County, Maryland, with the Maryland Department of Assessments and Taxation ID: F02513448.

Facts and Allegations Common to All Counts

6. The Plaintiff repeats and reaffirms all the allegations contained in Paragraphs One (1) through Five (5) of this Complaint and further states:

7. This is an action for damages that are in excess of Seventy-Five Thousand Dollars and No Cents (\$75,000.00), exclusive of costs and interest.

8. On or about December 3, 2019, **Gertrude Holly**, Plaintiff, entered the premises of the Dollar Tree retail store owned and operated by **Dollar Tree Stores, Inc.**, Defendant, located at 22576 Macarthur Boulevard, California, Maryland 20619 with the intention of purchasing various items.

9. As she walked along the aisle near the back of the store, she encountered a wet floor with no obvious signage around it, and slipped, falling to the floor.

10. As a result of slipping, Plaintiff, **Gertrude Holly**, fell to the floor with great force and impact, causing injury to her body.

11. **Gertrude Holly**, Plaintiff, was not behaving in an unreasonable manner when the incident happened.

12. **Gertrude Holly**, Plaintiff, was required to seek medical treatment and to incur medical expenses, past, present and future, including, but not limited to, hospitalization, doctor bills, medications, x-rays and other diagnostic testing, physical therapy, and other related past, present and future medical expenses, in addition to suffering from consequential physical and emotional pain and suffering as a result of this accident.

13. **Gertrude Holly**, Plaintiff, suffered loss of mobility, temporary loss of ability to work, loss of past, present and future income, and related past, present and future economic losses.

14. All of the injuries, pain and suffering, limitation of movement, loss of ability to work, loss of enjoyment of life, and other similar results suffered, incurred, and complained of by **Gertrude Holly**, Plaintiff, are a direct and proximate result of the incident described and therefore are due to the negligence of **Dollar Tree Stores, Inc.**, Defendant.

15. Plaintiff **Gertrude Holly** did not take or fail to take any action which caused or contributed to any damage, injury, or harm complained of and did not assume the risk.

16. **Dollar Tree Stores, Inc.**, Defendant, had a duty to use reasonable care to see that those portions of the property that **Gertrude Holly**, Plaintiff, an invitee, may be expected to use were safe.

17. **Dollar Tree Stores, Inc.**, Defendant breached its duty to **Gertrude Holly**, Plaintiff, by not properly supervising the area and not ensuring a safe environment on the premises.

Count – Negligence

18. The Plaintiff repeats and reaffirms all the allegations contained in Paragraphs One (1) through Seventeen (17) of this Complaint and further states:

19. **Dollar Tree Stores, Inc.**, Defendant, breached the aforesaid duties and as a direct and proximate result of the negligence and carelessness of the Defendant, **Gertrude Holly**, Plaintiff, received serious personal injuries. As a result, **Gertrude Holly**, Plaintiff, suffered continuous physical pain and mental distress, including, but not limited to:

- a. injuries to the right side of her body, including her left shoulder, left knee, left wrist and lower back;
- b. medical expenses, past, present and future, including but not limited to, hospitalization, doctor bills, medications, x-rays and other diagnostic testing, physical therapy and other related past, present and future medical expenses;
- c. consequential physical and emotional pain and suffering; and
- d. loss of mobility, temporary loss of ability to work, loss of past, present and future income, and related past, present and future economic losses.

20. **Dollar Tree Stores, Inc.**, Defendant, negligently maintained the property that was used by **Gertrude Holly**, Plaintiff, an invitee on the date in question.

21. All of the injuries, pain and suffering, limitation of movement, loss of ability to work, loss of enjoyment of life, and other results complained of by **Gertrude Holly**, Plaintiff, past, present and future, are a direct and proximate result of the premises liability accident described, and further are due to the negligence of **Dollar Tree Stores, Inc.**, Defendant.

22. **Gertrude Holly**, Plaintiff, was not contributorily negligent and did not assume the risk.

WHEREFORE, Gertrude Holly, Plaintiff, prays for judgment against Dollar Tree Stores, Inc., Defendant, in an amount in excess of Seventy-Five Thousand, Dollars and No Cents (\$75,000.00), together with interest from the date of injury to Plaintiff; costs, expert witness fees and such other and further relief as this Honorable Court deems just and proper.

Respectfully submitted,



ROBERT A. RICHARDS

CPF # 0412150211

The Dorsey Law Firm

22835 Washington Street

Post Office Box 530

Leonardtown, Maryland 20650

(301) 475-5000

Fax: (301) 475-3872

robertr@dorseylaw.net

Attorneys for the Plaintiff

IN THE CIRCUIT COURT OF MARYLAND FOR SAINT MARY'S COUNTY

GERTRUDE HOLLY
45766 MILITARY LANE
GREAT MILLS, MARYLAND 20634

Plaintiff

vs.

Case No.:

DOLLAR TREE STORES, INC.
2555 ELLSMERE AVENUE
NORFOLK, VA 23513

SERVE:
CSC- LAWYERS INCORPORATING
SERVICE COMPANY
7 ST. PAUL STREET
SUITE 820
BALTIMORE, MARYLAND 21202

Defendant

DEMAND FOR JURY TRIAL

Dear Clerk:

The Plaintiff hereby requests that all issues be heard before a jury. Counsel estimates the time needed to be three (3) days.

Respectfully submitted,


ROBERT A. RICHARDS

CPF # 0412150211

The Dorsey Law Firm
22835 Washington Street
Post Office Box 530
Leonardtown, Maryland 20650
(301) 475-5000
Fax: (301) 475-3872
robertr@dorseylaw.net
Attorneys for the Plaintiff

-1-

The Dorsey Law Firm
22835 Washington Street/P.O. Box 530
Leonardtown, Maryland 20650
(301) 475-5000